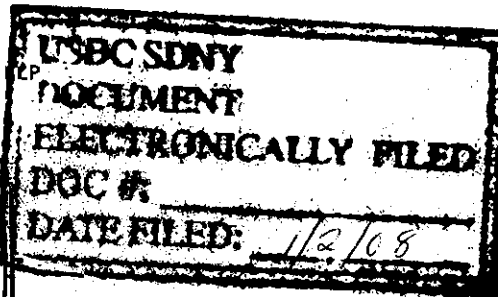
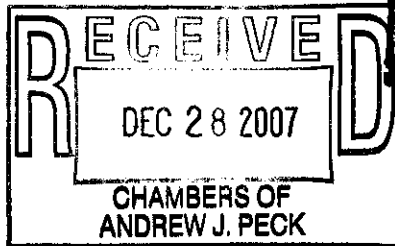


ROBINSON & COLE



MICHAEL B. GOLDEN

885 Third Avenue
Suite 1800
New York, NY 10022
Main (212) 451-2900
Fax (212) 451-2999
mgolden@rc.com
Direc (212) 451-2911

December 28, 2007

Via Facsimile 212-805-7933

MEMO ENDORSED *12*

Magistrate Judge Andrew J. Peck
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: **Hartford Fire Insurance Company a/s/o Lycee Francais De New York
v. Mayrich Construction Corp., et al.**
United States District Court, Southern District of New York
Case No.: 07 Civ. 4084 (SHS)(AJP)

Dear Judge Peck:

We represent plaintiff and are writing because we need the Court's assistance in connection with discovery, which is now stalled.

As a preliminary matter, at a pre-trial conference held on November 5, 2007 Your Honor set January 31, 2008 as the fact discovery deadline. The next status conference is scheduled for Monday, January 7, 2008 at 9:30 a.m.

1. Defendants have not made themselves available for depositions. We have been requesting that each defendant provide us with dates on which they will be available for their 30(b)(6) depositions which, as agreed, will be in the order in which named in the caption. To date, we have received not a single date,¹ and counsel for defendant Langan Engineering & Environmental is refusing to produce his client for a deposition.

In light of the upcoming discovery deadline, we would ask that Your Honor "so order" the following deposition schedule, with depositions to commence at 10:00 a.m. in the office of the attorney representing the relevant defendant and with the stipulation that the dates can be changed (within the discovery period) upon agreement by all counsel.

¹ A couple of attorneys promised to supply dates in the near future, but we are not comfortable waiting any longer in view of the discovery cutoff.



Law Offices

BOSTON

HARTFORD

NEW LONDON

STAMFORD

WHITE PLAINS

NEW YORK CITY

SARASOTA

www.rc.com

NEWY1-633857-2

Magistrate Judge Andrew J. Peck
December 28, 2007
Page 2

DefendantDate

Mayrich Construction Corp.

Tuesday, January 8

F.J. Sciame Construction Co.
Inc.

Thursday, January 10

Langan Engineering &
Environmental Services, Inc.

Monday, January 14

Polshek Partnership, LLP

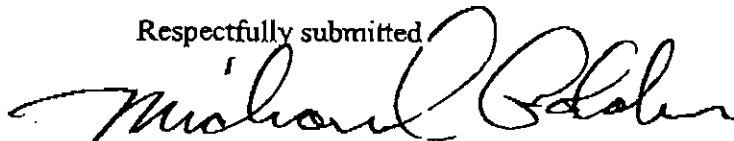
Tuesday, January 22

Cantor Seinuk Group, Inc.

Thursday, January 24

2. Defendant Mayrich Construction has so far not produced any documents and has not responded to our formal document demand dated September 7, 2007. Mayrich's counsel has recently advised that he has received documents from his client and will respond to our demand. Nonetheless, we request that the Court strike Mayrich's answer if such documents are not received in our office at least three full business days prior to Mayrich's deposition.

Respectfully submitted,



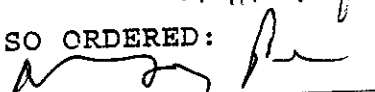

Michael B. Golden

MBG:kc

cc: Elaine C. Gangel, Esq. (via email: ecg@gogick.com)
Gilbert L. Lee, Esq. (via email: gilbert.lee@sdma.com)
Chad Sjoquist, Esq. (via email: CSjoquist@ZDLAW.com)
Michael J. Pearsall, Esq. (via email: Michael.pearsall@aig.com)
Melissa Savage, Esq. (via email)

MEMO ENDORSED 1/2/08**BY FAX**

1. The depositions are in 1/10/08 and APPROVED.
2. Mayrich is producing documents before its depositions.
3. Polyshek is producing documents on or before 30/1/08. Documents in response to larger who is deposed - larger's 1/24/07 letter & etc. Court
4. Mayrich's answer is to be submitted at 1/7/08 - but 1/11/08 per discussion with court
to be ordered

SO ORDERED:  

FAX TRANSMITTAL SHEET



**ANDREW J. PECK
UNITED STATES MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT**

Southern District of New York
United States Courthouse
500 Pearl Street, Room 1370
New York, N.Y. 10007-1312

Fax No.: (212) 805-7933
Telephone No.: (212) 805-0036

Dated: January 2, 2008

Total Number of Pages: 3

| TO | FAX NUMBER |
|---------------------------|--------------|
| Michael B. Golden, Esq. | 212-451-2999 |
| Chad E. Sjoquist, Esq. | 212-682-6861 |
| Michael J. Pearsall, Esq. | 212-344-8263 |
| Gilbert L. Lee, Esq. | 212-422-0925 |
| Elaine Caryn Gangel, Esq. | 212-422-9429 |

TRANSCRIPTION:

MEMO ENDORSED 1/2/08

1. The depo dates in #1 above are **APPROVED**.
2. **Mayrich to produce its documents before its depo.**
3. **Plaintiff to produce another one or more 30(b)(6) depo witnesses in response to Langan notice, as discussed in Langan's 12/28/07 letter to the Court.**
4. **Any other issues to be addressed at 1/7 conf. – but 1/31 fact disc. cutoff unlikely to be extended.**

Copy to: Judge Sidney H. Stein